

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

Mt. Holly Gardens Citizens in Action, Inc., et al., Plaintiffs, v. Township of Mount Holly, et al., Defendants.	Civil Action No. 1:08-cv-02584 <u>Filed Electronically via ECF</u> EMERGENCY APPLICATION TO ENFORCE COURT'S ORDER OF DISMISSAL AND SETTLEMENT AGREEMENT
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THIS MATTER having been brought before the Court by Defendant, Township of Mount Holly, through its counsel, by Order to Show Cause seeking emergency enforcement of the Court's November 15, 2013 Order [ECF Doc. No. 215] pursuant to Federal Rule of Civil Procedure 65 and L. Cv. R. 65.1, and upon the Certifications and Memorandum of Law submitted herewith, the Court having determined that good and sufficient reasons exist to proceed by way of Order to Show Cause, and for good cause shown.

IT IS on this _____ day of May 2018,

ORDERED that Plaintiffs, Mt. Holly Gardens Citizens in Action, Inc., Norman Harris, Nancy Lopez Beltran, Robert Tigar, Reinaldo Arocho, and Jessica Romero, appear and show cause on the _____ day of June 2018, before the United States District Court for the District of New Jersey, Hon. Noel L. Hillman, U.S.D.J.,

at the US Courthouse, located at Mitchell H. Cohen Building & U.S. Courthouse, 4th & Cooper Streets, Camden, New Jersey 08101, at _____ o'clock in the _____ noon, or as soon thereafter as counsel may be heard, why an Order should not be entered:

1. Compelling Plaintiffs, Mt. Holly Gardens Citizens in Action, Inc., Norman Harris, Nancy Lopez Beltran, Robert Tigar, Reinaldo Arocho, and Jessica Romero, to comply with the terms of this Court's November 15, 2013 Order [ECF Doc. No. 215] and the Settlement Agreement [ECF Doc. Nos. 215-1-4] reached in this matter by:

a. taking any and all steps necessary, including but not limited to certification of their incomes as required by the New Jersey Department of Community Affairs ("DCA"), to move into their Replacement Homes as required by Section 4 of the Settlement Agreement no later than **June 18, 2018**; or

b. in the alternative, Plaintiffs must sell their homes to the Township for 140% of the Township's 2010 appraisal or \$60,000, whichever is greater, in accordance with Section 8.3 of the Settlement Agreement no later than **June 18, 2018**.

2. Granting such other relief as the Court deems equitable and just.

And it is further **ORDERED** that:

1. A copy of this Order to Show Cause, Supporting Certifications, and Memorandum of Law submitted in support of this application, shall be served upon the Plaintiffs personally within _____ days of the date hereof, in accordance with F.R.C.P. 4.

2. The Defendant must file with the Court its proof of service of the pleadings on the Plaintiffs no later than three (3) days before the return date.

3. Plaintiffs shall file and serve a written response to this Order to Show Cause and proof of service by ___, ____ 2018. You must send a courtesy copy of your opposition papers directly to Judge Hillman, whose address is:

Mitchell H. Cohen Building & U.S. Courthouse
4th & Cooper Streets
Camden, New Jersey 08101

4. The Defendant must file and serve any written reply to the Plaintiffs' opposition to the Order to Show Cause by ___, ____ 2018. A courtesy copy of the reply papers must be sent directly to the chambers of Judge Hillman.

5. If the Plaintiffs do not file and serve opposition to this Order to Show Cause, the application will be decided on the papers on the return date and relief may be granted by default, provided that the Defendant files a proof of service and a proposed form of Order at least three days prior to the return date.

6. If the Defendant has not already done so, a proposed form of Order addressing the relief sought on the return date (along with a self-addressed return envelope with return address and postage) must be submitted to the Court no later than three (3) days before the return date.

7. The Court will notify the parties whether it will entertain argument on the return date of the Order to Show Cause in accordance with Local Civil Rule 78.1.

Hon. Noel L. Hillman, U.S.D.J.